

EXPRESS TERMS
Article 2.1 Commercial Driver Licenses
Medical Requirements for Drivers

§28.18. Minimum Physical and Medical Requirements for Class A, B, or Commercial Class C Drivers' Licenses; or Ambulance Drivers' Certificates

The minimum medical requirements for a Class A, B, or Commercial Class C license or Ambulance Drivers' Certificate, required by Section 12804.9(a)(1), 12527(a) or 15275 of the Vehicle Code shall be:

(a) those standards required of motor carrier drivers by the Federal Highway Administration of the Department of Transportation as set forth in the Federal Motor Carrier Safety Regulations, at 49 CFR 391.41 and

(b) those standards recommended in the medical advisory criteria for hypertension as set forth at 49 CFR 391.43 (f) (Instructions for Performing and Recording Physical Examinations) prepared by the Federal Motor Carrier Safety Administration as guidelines to aid the medical examiner in making the qualification determination as they relate to blood pressure, hypertension, and recertification periods based on hypertension.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 12804.9(a)(1), 12527(a), 15210, and 15275, Vehicle Code; ~~and~~ Sections 391.41, and 391.43, Title 49, Code of Federal Regulations.

§28.19. Medical Certificates Required by Section 12804.9(a)(1), 12527(c)(3) and 15275 of the Vehicle Code that May be Issued by the Department of Motor Vehicles.

~~If the examining physician elects not to issue a medical certificate approved by the Federal Highway Administration or the Federal Aviation Administration of the United States Department of Transportation, a completed medical examination form approved by either of those agencies may be presented to the Department of Motor Vehicles, which may issue a medical certificate approved by the department qualifying the applicant to drive ambulances or Class A, B, or Commercial Class C vehicles other than engaging in interstate commerce if:~~

Unless otherwise specified, the medical examination form and medical certificate referenced in this section are those forms approved by the Federal Highway Administration or the Federal Aviation Administration of the United States Department of Transportation. If the medical examiner elects not to issue a medical certificate or the department determines that the applicant does not meet required physical qualifications for such a medical certificate, an applicant wishing to drive ambulances or Class A, B, or Commercial Class C vehicles for purposes other than engaging in interstate commerce, may submit a completed medical examination form to the

department for consideration of obtaining a state approved medical certificate. Upon approval by the department, the department may issue a state approved medical certificate which qualifies the applicant to drive ambulances or Class A, B, or Commercial Class C vehicles for purposes other than engaging in interstate commerce if:

(a) The department determines from review of the examination form and any additional medical information submitted, that the applicant meets the standards set forth under Federal Motor Carrier Safety Regulations 49 CFR 391.41, or

(b) The applicant for a Class A or B license, or a Commercial Class C license, does not meet the standards set forth under Federal Motor Carrier Safety Regulations because of a physical condition wherein safe driving ability can be determined by driving examination and in the opinion of the department the defect is compensated for to insure safe driving ability. If such a state approved medical certificate is issued by the department, the applicant shall not be permitted to operate vehicles requiring a passenger vehicle endorsement or a hazardous materials endorsement pursuant to Section 15278 of the Vehicle Code. The department may authorize the applicant to continue to operate any of said vehicles if the applicant is renewing a California Class A, B, or a Commercial Class C license permitting the operation of such vehicles, or is applying for a medical certificate to keep valid such a license that has not yet expired, or

(c) The applicant for a Class A or B license, or a Commercial Class C license, fails to meet the standards set forth under Federal Motor Carrier Regulations because of a condition or conditions other than those wherein safe driving ability can be determined by a driving examination, provided that the department determines upon evaluation of competent medical evidence that the condition or conditions do not affect the driver's ability to drive safely and may reasonably be expected not to affect the driver's ability to drive safely within two (2) years. If such a state approved medical certificate is issued by the department, the applicant shall not be permitted to operate vehicles requiring a passenger vehicle endorsement or a hazardous materials endorsement pursuant to Section 15278 of the Vehicle Code. The department may authorize the applicant to continue to operate any of said vehicles if the applicant is renewing a California Class A, B, or a Commercial Class C license permitting the operation of such vehicles, or is applying for a medical certificate to keep valid such a license that has not yet expired, or

(d) The applicant for an Ambulance Drivers' Certificate fails to meet the standards set forth under Federal Motor Carrier Regulations provided that the department determines upon evaluation of competent medical evidence that the condition or conditions do not affect his ability to drive safely and may reasonably be expected not to affect his ability to drive safely within two (2) years.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 12804.9(a)(1), 12527(c)(3), 13369, 13372, 15210, 15275 and 15278, Vehicle Code.

§28.20. Medical Requirements for Hazardous Agricultural Materials Endorsement.

(a) The minimum medical requirements for a hazardous materials endorsement issued pursuant to Section 12804.2 of the Vehicle Code shall be those standards specified in Section 28.18 of Article 2.1, Chapter 1, Division 1, of Title 13 of the California Code of Regulations.

(b) The department shall require a person applying for a hazardous agricultural materials endorsement to complete and submit to the department a Health Questionnaire, Form DL 546 (Rev. ~~4/2000~~ 11/2004) provided by the department, pursuant to Section 28.23

(c) If an applicant for a hazardous agricultural materials endorsement fails to meet the medical standards set forth in subdivision (a), the department shall not issue the endorsement unless the applicant is renewing a license with a hazardous agricultural materials endorsement, or is submitting a new Health Questionnaire, form DL 546 (Rev. ~~4/2000~~ 11/2004), to retain such an endorsed license that has not yet expired, and the department determines upon evaluation of competent medical evidence that the condition or conditions do not affect the driver's ability to drive safely, and may reasonably be expected not to affect the driver's ability to drive safely within two years.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 12804.2, Vehicle Code.

§28.21. Medical Requirements for Restricted Class A Driver License.

(a) A person applying for a restricted Class A driver license issued pursuant to Section 12804.12 or 12804.14 of the Vehicle Code shall meet the following minimum medical requirements before a restricted license can be issued:

(1) Color Test. An applicant must be able to recognize the standard red, green, and amber colors of traffic signals and devices.

(2) Peripheral Vision. An applicant must have peripheral vision of 70 degrees or greater in the horizontal Meridian in each eye.

(3) Hearing. An applicant must be able to perceive a forced whispered voice in the better ear, without a hearing aid, at a distance of not less than five (5) feet.

(4) Visual Acuity. An applicant's visual acuity must be 20/40 or better in each eye with or without corrective lenses.

(5) Upper and Lower Extremities. An applicant must have:

(A) no loss of a foot, leg, hand, arm, or finger.

(B) no impairment of a hand or finger which interferes with grasping.

(C) no impairment of an arm, hand, foot, or leg, or any other limitation that interferes with the ability to safely operate a motor vehicle.

(6) Diabetes. An applicant must have no history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

(A) Prior to evaluation of competent medical evidence as specified in subdivision (c)(2), the department shall not issue a temporary or interim restricted Class A driver license to an applicant who has had a hypoglycemic episode or any adverse reaction related to diabetes in the last three (3) years.

(7) Heart. An applicant must have no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, stroke, or congestive cardiac failure.

(A) Prior to evaluation of competent medical evidence as specified in subdivision (c)(2), the department shall not issue a temporary or interim restricted Class A driver license to an applicant who has had labored breathing, fainting, collapse, congestive heart failure, or other symptoms in the last three (3) years which may interfere with the ability to safely operate a motor vehicle.

(8) Lungs. An applicant must have no established medical history or clinical diagnosis of a respiratory condition such as emphysema, chronic asthma, or tuberculosis that is likely to interfere with ability to safely operate a motor vehicle.

(9) Blood Pressure. An applicant must have no current clinical diagnosis of high blood pressure which is likely to interfere with the ability to safely operate a motor vehicle.

(A) Prior to evaluation of competent medical evidence as specified in subdivision (c)(2), the department shall not issue a temporary or interim restricted Class A driver license to an applicant whose blood pressure is usually ~~higher than 160/90~~ 140/90 or higher.

(10) Muscle, Orthopedic, or Vascular Condition. An applicant must have no established history or clinical diagnosis of a rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with the ability to safely operate a motor vehicle.

(11) Mental Condition. An applicant must have no diagnosis of a mental, nervous, organic or functional disease, or psychiatric disorder which is likely to interfere with the ability to safely operate a motor vehicle.

(12) Epilepsy and/or Lapse of Consciousness. An applicant must have no established medical history or clinical diagnosis of epilepsy, or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle.

(A) Prior to evaluation of competent medical evidence as specified in subdivision (c)(2), the department shall not issue a temporary or interim restricted Class A driver license to an applicant who has had a loss of consciousness or loss of ability to control a motor vehicle in the last three (3) years.

(13) Drugs. An applicant must not use a controlled substance, amphetamine, narcotic, or any other habit-forming drug.

(A) If the applicant is taking a substance or drug that is prescribed by the doctor who is familiar with the driver's medical history and has advised the driver that the substance or drug will not adversely affect the driver's ability to safely operate a motor vehicle, the department may issue a restricted Class A driver license to the applicant.

(14) Alcohol. An applicant must have no current clinical diagnosis of alcoholism.

(b) The department shall require a person applying for a restricted Class A driver license to complete and submit to the department a Health Questionnaire, form DL 546 (Rev. ~~4/2000~~ 11/2004), provided by the department, pursuant to Section 28.23.

(c) If an applicant for a restricted Class A driver license does not meet the medical requirements set forth in subdivision (a), the department may issue a restricted Class A license under any of the following conditions:

(1) The department does not meet the minimum medical requirements set forth in subdivision (a) because of a physical condition wherein safe driving ability can be determined by driving examination and, in the opinion of the department, the defect is compensated for to insure safe driving ability; or

(2) The department determines, upon evaluation of competent medical evidence, that the condition or conditions do not affect the driver's ability to drive safely and may

reasonably be expected not to affect the driver's ability to drive safely within two (2) years.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 12804.12 and 12804.14, Vehicle Code.

§28.22. Medical Requirements for Restricted Fire Fighter Driver License.

(a) The minimum medical requirements for a restricted fire fighter driver license issued pursuant to Section 15250.5 of the Vehicle Code shall be those standards specified in Section 28.12 of Article 2.1, Chapter 1, Division 1, of Title 13 of the California Code of Regulations.

(b) The department shall require a person applying for a restricted fire fighter driver license to complete and submit to the department a Health Questionnaire, Form DL 546 (Rev. 4/2000- 11/2004) provided by the department, pursuant to Section 28.23.

(c) If an applicant for a restricted firefighter driver license fails to meet the medical standards specified in subdivision (a), the department may issue the license under any of the following conditions:

(1) The applicant does not meet the medical standards set forth in subdivision (a) because of a physical condition wherein safe driving ability can be determined by driving examination and, in the opinion of the department, the defect is compensated for to insure safe driving ability; or

(2) The applicant fails to meet the standards set forth in subdivision (a) because of a condition or conditions other than those wherein safe driving ability can be determined by a driving examination, provided that the department determines upon evaluation of competent medical evidence that the condition or conditions do not affect the driver's ability to drive safely, and may reasonably be expected not to affect the driver's ability to drive safely within two (2) years.

(3) If a restricted fire fighter driver license is issued under these conditions, the applicant shall not be permitted to operate vehicles requiring a passenger vehicle endorsement or hazardous materials endorsement pursuant to Section 15278 of the Vehicle Code. The department may authorize the applicant to continue operating such vehicles if the applicant is renewing a restricted fire fighter license, or is submitting a new Health Questionnaire, form DL 546 (Rev. 4/2000- 11/2004), to retain such a license that has not yet expired.

§28.23. Health Questionnaire.

(a) The Health Questionnaire, form DL 546 (Rev. ~~4/2000~~ 11/2004), shall be submitted upon application for a hazardous agricultural materials endorsement, restricted Class A driver license, or restricted fire fighter driver license and every two years thereafter.

(b) The Health Questionnaire shall contain the following information:

(1) The applicant's true full name, address, date of birth, driver license number, and daytime telephone number.

(2) A "yes" or "no" response as to whether the applicant:

(A) has difficulty recognizing the colors of red, green, and amber used in traffic signal lights and devices.

(B) has peripheral vision of less than 70 degrees for either eye.

(C) has difficulty perceiving a forced whispered voice in the better ear, without a hearing aid, at not less than five (5) feet.

(D) has a vision impairment in either eye that is not correctable to visual acuity of 20/40 or better.

(E) has a missing foot, leg, hand, finger, or arm.

(F) has an impairment of a hand or finger.

(G) has any other impairment of an arm, hand, foot, or leg, or any other limitation.

(H) has diabetes requiring insulin for control.

(I) has had a hypoglycemic episode in the last three (3) years.

(J) has had any other adverse reaction related to diabetes in the last three (3) years.

(K) has had a heart attack, angina, coronary insufficiency, thrombosis, stroke, or other heart problem, or cardiovascular disease, and if "yes," whether the applicant has had labored breathing, fainting, collapse, congestive heart failure, or other symptoms in the last three (3) years.

(L) has been diagnosed with a respiratory condition, such as emphysema, chronic asthma, or tuberculosis and, if "yes," whether the respiratory condition is likely to interfere with the applicant's ability to drive a motor vehicle safely.

(M) has been diagnosed with high blood pressure, and if "yes," whether the applicant's blood pressure is usually ~~higher than 160/90~~ 140/90 or higher.

(N) has never been diagnosed with a rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease, and if "yes," whether the condition is likely to interfere with the applicant's ability to drive a motor vehicle safely.

(O) has ever been diagnosed with any mental, nervous, organic, or functional disease, or psychiatric disorder and, if "yes," whether the condition is likely to interfere with the applicant's ability to drive a motor vehicle safely.

(P) has ever been diagnosed with epilepsy or any other condition which may cause loss of consciousness or loss of control, and if "yes," whether the applicant has had a loss of consciousness or loss of control in the last three (3) years.

(Q) uses a controlled substance, amphetamine, narcotic, or any other habit-forming drug, and if "yes," whether the applicant's physician prescribed the drug and whether the applicant's physician advised the applicant not to drive when taking the drug.

(R) has a current clinical diagnosis of alcoholism, and if "yes," when the applicant last had an alcoholic beverage.

(3) An explanation of any "yes" answer.

(4) The physician's name, office address, and telephone number.

(5) The month and year of the applicant's last visit to the physician.

(6) A certification, signed and dated by the applicant under penalty of perjury, that the information provided is true and correct, and that the applicant consents to the release of medical information to the department by the physician named on the form.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 12804.2, 12804.12, 12804.14 and 15250.5, Vehicle Code.